

LAW OFFICES OF DANIEL MARKS
DANIEL MARKS, ESQ.
Nevada State Bar No. 002003
NICOLE M. YOUNG, ESQ.
Nevada State Bar No. 12659
530 South Las Vegas Blvd., Suite 300
Las Vegas, Nevada 89101
Telephone: (702) 386-0536
Facsimile: (702) 386-6812
Email: office@danielmarks.net
Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

LESTER SALZ,
Plaintiff,

Case No.

vs.

BOYD GAMING CORPORATION,
Defendant.

COMPLAINT
(Jury Trial Demanded)

COMES NOW the Plaintiff Lester Salz, by and through his undersigned counsel, Daniel Marks, Esq., of the Law Office of Daniel Marks, and for the Cause of Action against Defendant Boyd Gaming Corporation alleges as follows:

1. This Court has jurisdiction over this action under 28 U.S.C. § 1331 because it arises under 29 U.S.C. § 621, et., sec., known as the Age Discrimination in Employment Act of 1967, as amended.
2. At all times material hereto Plaintiff was a resident of Clark County, Nevada and over the age of forty (40) years old. His age at the time of the incident being sixty-nine (69) years of age.
3. That Defendant is a corporation organized under the laws of the State of Nevada.
4. That on or about November 1, 2012, Plaintiff was told he was being terminated, effective December 31, 2012.

- 1 5. That towards the end of Plaintiff's employment at Defendant corporation, he was told
- 2 by his immediate supervisor that he was "too old" to perform his job duties.
- 3 6. That Plaintiff was performing his job duties satisfactorily and he passed all necessary
- 4 exams to ensure that he is able to perform those duties.
- 5 7. That when Plaintiff was terminated, he was replaced by a younger person.
- 6 8. That Plaintiff's termination constituted discrimination because of his age.
- 7 9. That Plaintiff timely filed a charge with the Equal Employment Opportunity
- 8 Commission (EEOC) on June 26, 2013, and complied with all applicable regulations
- 9 prior to filing a law suit.
- 10 10. That efforts at conciliation have failed.
- 11 12. That the EEOC issued a Notice of Suit Rights on July 12, 2013.

12 WHEREFORE, the Plaintiff prays for judgment against the Defendant as follows:

- 13 1. For reinstatement of his position with Defendant corporation;
- 14 2. For back pay, front pay and loss of benefits in a sum in excess of \$10,000.00; and
- 15 3. For attorney's fees and cost of law suit.

16 DATED this 24 day of September, 2013.

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25 Attorneys for Plaintiff
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